

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF NORTH CAROLINA**

**CHARITY TONEY and ROBERT
GRIMES, individually, and on behalf of
others similarly situated,**

Plaintiffs,

v.

**B&G FOODS, INC. and B&G FOODS
SNACKS, INC.,**

Defendants.

Case No. 1:20-cv-00037-NCT-JLW

Judge N. C. TILLEY, JR.

Hearing: July 14, 2022, at 2:00 p.m.

**PLAINTIFFS' UNOPPOSED MOTION FOR FINAL APPROVAL OF
COLLECTIVE AND CLASS ACTION SETTLEMENT AND APPROVAL OF
ATTORNEYS' FEES, LITIGATION AND ADMINISTRATIVE COSTS, AND
INCENTIVE AWARD**

Plaintiffs Charity Toney and Robert Grimes, individually and on behalf of all other similarly situated employees, move for final approval of the collective and class action settlement reached in this action. *See* Joint Stipulation of Settlement, Doc. #60 (the “Settlement”). In support of the instant Motion, Plaintiffs file a supporting Brief [Doc. # 66] along with the following declarations:

- Declaration of Jason T. Brown (lead counsel) (“JTB Decl.”), with Ex. A – Firm Resume, Ex. B – Brown, LLC Lodestar Report, Ex. C – Expense Report, and Crumley Roberts LLP Lodestar Report, Ex. D; [*see* Doc. # 67]
- Declaration of J. Ian Downes (counsel for Defendants) [Ex. 1 to the Brief]; and
- Declaration of the Settlement Administrator Simpluris Inc. (“Fowler Decl.”) [Ex. 2 to the Brief].

For the reasons described more fully therein, the Settlement is fair, reasonable, and adequate. Plaintiffs respectfully request that the Court (1) approve the Settlement pursuant to Fed. R. Civ. P. 23(c) and (e); (2) certify the Settlement Collective and Class pursuant to 29 U.S.C. § 216(b) and Fed. R. Civ. P. 23(a) and (b)(3); and (3) approve the payment of attorneys' fees, litigation and administrative costs, and payments to the Named Plaintiffs from the Settlement fund.

HAVING SEEN AND AGREED TO:

Dated: July 5, 2022

/s/ Jason T. Brown

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